

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 8-11 are now present in the application. Claims 8-11 have been added. Claims 1-7 have been cancelled. Claims 8 and 10 are independent. Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. §119

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. §119, and receipt of the certified priority document.

Information Disclosure Citation

Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed on December 9, 2005, and for providing Applicant with an initialed copy of the PTO-1449 form filed therewith.

Drawings

Applicant thanks the Examiner for accepting the formal drawings of the instant application.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-4 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sallee, U.S. Patent No. 5,976,643, in view of Constantinescu, U.S. Patent Application

Publication No. US 2002/0113346. Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sallee in view of Constantinescu, and further in view of Carr, U.S. Patent Application Publication No. US 2002/0146519. Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sallee in view of Constantinescu and Carr, and further in view of Preston, U.S. Patent Application Publication No. US 2001/0016244. These rejections are respectfully traversed.

Complete discussion of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding to the Examiner's rejections, but merely to expedite prosecution, as the Examiner will note, claims 1-7 have been cancelled. Therefore, Applicant respectfully submits that these rejections have been obviated and/or rendered moot. Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

Additional Claims

Claims 8-11 have been added for the Examiner's consideration.

Applicant respectfully submits that the combinations of elements as set forth in new independent claims 8 and 10 are not disclosed or suggested by the references relied on by the Examiner.

In particular, independent claim 8 recites a combination of elements including "[a]n artificial lawn comprising imitation lawns, and a laying board onto which said imitation lawns are planted, said imitation lawns each including a bunch of foliaceous pieces and a root portion which bundles the bunch of foliaceous pieces, said laying board including a plurality of root

portion pots into which said root portions of said imitation lawns are forcibly fit, respectively, said each imitation lawn being fixed to said laying board by driving a bifurcate pin member having two pin tips onto a bottom part of said root portion pot to an upper part of the root portion of said imitation lawn forcibly fit in the root portion pot of said laying board, such that said pin member traverses a middle part of the root portion, from which said foliaceous pieces are parted, and strides across both sides of an opening of said root portion pot, said laying board having a pair of guide grooves formed in a peripheral wall part of said each root portion pot at positions opposing to each other through the opening of said root portion pot, the pair of guide grooves, upon the driving of said bifurcate pin member onto the bottom part of said root portion, specifying drive positions of both the pin tips of said pin member and also guiding both the pin tips to the bottom part of said root portion pot.”

Independent claim 10 recites a combination of elements including “[a]n artificial lawn comprising imitation lawns, and a laying board onto which said imitation lawns are planted, said imitation lawns each including a bunch of foliaceous pieces and a root portion which bundles the bunch of foliaceous pieces, said laying board including a plurality of root portion pots into which said root portions of said imitation lawns are forcibly fit, respectively, said each imitation lawn being fixed to said laying board by driving a bifurcate pin member having two pin tips onto a bottom part of said root portion pot to an upper part of the root portion of said imitation lawn forcibly fit in the root portion pot of said laying board, such that said pin member traverses a middle part of the root portion, from which said foliaceous pieces are parted, and strides across both sides of an opening of said root portion pot, said laying board having a pair of guide grooves formed in a peripheral wall part of said each root portion pot at positions opposing to

each other through the opening of said root portion pot, the pair of guide grooves, upon the driving of said bifurcate pin member onto the bottom part of said root portion, specifying drive positions of both the pin tips of said pin member and guiding a striking guide of a tool used for driving said bifurcate pin member to the bottom part of said root portion pot.”

In claim 8, by driving a bifurcate pin member onto a bottom part of a root portion pot, the bifurcate pin member presses the root portion of imitation lawns on the bottom part of the root portion pot. Furthermore, when the bifurcate pin member is driven onto the bottom part of the root portion pot, a pair of guide grooves formed at positions opposing to each other through an opening of the root portion pot to specify drive positions of both pin tips of the pin member and guide both the pin tips to the bottom part of the root portion pot. As a result, the bifurcate pin member is driven smoothly and reliably without rattling and swaying, so that the bifurcate pin member fits the root portion of the imitation lawns smoothly and reliably in the bottom part of the root portion pot.

Unlike the claimed invention, when modifying Sallee’s lock pin 60 with Constantinescu’s bifurcate staple (referred to by the Examiner as bifurcate pin member) to fix the filament onto the base 100, the bifurcate staple is moved toward the base 100 (referred to by the Examiner as the laying board), and both the pin tips of the bifurcate staple are pressed against and into the base 100. However, Sallee and Constantinescu nowhere disclose that the base 100 has *a pair of guide grooves formed in a peripheral wall part of the rivet 40* (referred by the Examiner as the root portion pot) *at positions opposing to each other through an opening of the rivet 40 for guiding both the pin tips of the bifurcate staple to the bottom part of the rivet 40*. In fact, although Sally discloses that the rivet 40 has a central cavity 45 for receiving the lock pin 60, there are no

grooves at a peripheral wall of the central cavity 45. In addition, Constantinescu in FIG. 9B using indexing ridge 73, not grooves, to guide and accept the bifurcate staple. Therefore, the combination of Saltee and Constantinescu still fails to teach “said laying board having a pair of guide grooves formed in a peripheral wall part of said each root portion pot at positions opposing to each other through the opening of said root portion pot, the pair of guide grooves, upon the driving of said bifurcate pin member onto the bottom part of said root portion, specifying drive positions of both the pin tips of said pin member and guiding a striking guide of a tool used for driving said bifurcate pin member to the bottom part of said root portion pot” as recited in claim 8.

For the same reasons above, the combination of Saltee and Constantinescu also fails to teach “said laying board having a pair of guide grooves formed in a peripheral wall part of said each root portion pot at positions opposing to each other through the opening of said root portion pot, the pair of guide grooves, upon the driving of said bifurcate pin member onto the bottom part of said root portion, specifying drive positions of both the pin tips of said pin member” as recited in claim 10.

In addition, as recited in claim 10, the pair of guide grooves is also used to guide a striking guide of a tool, which is used for driving the pin member to be fixed to an object (see the embodiment in FIG. 8 and paragraph 0021). This claimed feature is also clearly absent from the utilized references. Therefore, the combination of Saltee and Constantinescu also fails to teach “the pair of guide grooves, upon the driving of said bifurcate pin member onto the bottom part of said root portion... guiding a striking guide of a tool used for driving said bifurcate pin member to the bottom part of said root portion pot” as recited in claim 10.

With regard to the Examiner's reliance on the other secondary references, those references also fail to disclose the above combinations of elements as set forth in new independent claims 8 and 10. Accordingly, these references fail to cure the deficiencies of Sallee and Constantinescu.

Accordingly, none of the utilized references individually or in combination teach or suggest the limitations of new independent claims 8 and 10. Therefore, Applicant respectfully submits that new independent claims 8 and 10 clearly define over the teachings of the utilized references.

In addition, claims 9 and 11 depend, either directly or indirectly, from new independent claims 8 and 10, and are therefore allowable based on their respective dependence from new independent claims 8 and 10, which are believed to be allowable.

Favorable consideration and allowance of claims 8-11 are respectfully requested.

Additional Cited References

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state of the art, no further comments are necessary with respect thereto.

Conclusion

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: December 4, 2007

Respectfully submitted,

By 

Paul C. Lewis

Registration No.: 43,368

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

